

UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE

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In re	:	Chapter 11
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TERRAFORM LABS PTE. LTD.,	:	Case No. 24-10070 (BLS)
	:	
Debtor. ¹	:	
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NOTICE OF *THIRD AMENDED*² AGENDA OF MATTERS SCHEDULED FOR
HEARING ON MARCH 12, 2024 AT 10:00 A.M. (ET), BEFORE THE HONORABLE
BRENDAN L. SHANNON, AT THE UNITED STATES BANKRUPTCY COURT FOR
THE DISTRICT OF DELAWARE, 6TH FLOOR, COURTROOM 1³

THE HEARING WILL BE HELD IN-PERSON IN JUDGE SHANNON'S COURTROOM.

ALL PARTIES, INCLUDING WITNESSES, WISHING TO PARTICIPATE IN THE HEARING
MUST ATTEND IN PERSON.

COURTCALL WILL NOT BE USED TO DIAL IN. TO ATTEND A HEARING REMOTELY,
PLEASE REGISTER USING THE ECOURT APPEARANCES TOOL ON THE COURT'S
WEBSITE AT WWW.DEB.USCOURTS.GOV OR CLICK THE FOLLOWING LINK:
<https://ecf.deb.uscourts.gov/cgi-bin/nysbAppearances.pl>.

AFTER REGISTERING YOUR APPEARANCE, YOU WILL RECEIVE A CONFIRMATION
EMAIL CONTAINING INFORMATION ABOUT JOINING THE HEARING REMOTELY.

IF ATTENDING THIS HEARING REMOTELY, PARTIES ARE REQUIRED TO REGISTER
FOR THE HEARING BY 4:00 P.M. (ET) ONE BUSINESS DAY PRIOR TO THE HEARING.
YOU MUST USE YOUR FULL NAME WHEN LOGGING INTO ZOOM OR YOU WILL NOT
BE ALLOWED INTO THE MEETING.

¹ The Debtor's principal office is located at 1 Wallich Street, #37-01, Guoco Tower, Singapore 078881.

² Amended items appear in bold.

³ All motions and other pleadings referenced herein are available online at the following address:
<https://dm.epiq11.com/case/terraform>.

I. UNCONTESTED MATTER GOING FORWARD:

1. Debtor's Motion for Entry of an Order Authorizing Debtor to File Under Seal Confidential Information in Connection with the Application to Retain and Employ Dentons US LLP as Special Counsel [[Docket No. 141](#) – filed March 4, 2024]

Objection / Response Deadline: At the hearing

Objections / Responses Received: Informal comments from the Office of the United States Trustee (the "U.S. Trustee")

Related Documents:

- i. (REDACTED) Notice of Filing of Redacted Versions of Dentons US LLP's Engagement Letters [[Docket No. 116](#) – filed March 2, 2024]
- ii. (SEALED) Notice of Filing of Sealed Versions of Dentons US LLP's Engagement Letters [[Docket No. 117](#) – filed March 2, 2024]
- iii. (REDACTED - Final) Notice of Filing of Final Redacted Versions of Dentons US LLP's Engagement Letters [[Docket No. 165](#) – filed March 11, 2024]
- iv. Certification of Counsel Regarding Order Authorizing Debtor to File Under Seal Confidential Information in Connection with the Application to Retain and Employ Dentons US LLP as Special Counsel [[Docket No. 166](#) – filed March 11, 2024]

Status: On March 11, 2024, the Debtor filed a revised proposed order under certification of counsel regarding this matter. Accordingly, a hearing on this matter is only necessary to the extent the Court has questions or concerns.

II. CONTESTED MATTERS GOING FORWARD:

2. Application of Debtor for Entry of an Order Authorizing the Retention and Employment of Dentons US LLP as Special Counsel to the Debtor and Debtor in Possession Effective as of the Petition Date [[Docket No. 60](#) – filed February 13, 2024]

Objection / Response Deadline: February 27, 2024 at 4:00 p.m. (ET); extended for the U.S. Trustee to February 29, 2024 at 4:00 p.m. (ET)

Objections / Responses Received:

- A. Objection of the U.S. Securities and Exchange Commission to Application of Debtor for Entry of an Order Authorizing the Retention and Employment of Dentons US LLP as Special Counsel to the Debtor and Debtor in Possession Effective as of the Petition Date [[Docket No. 86](#) – filed February 27, 2024]
- B. United States Trustee's Objection to the Application of Debtor for Entry of an Order Authorizing the Retention and Employment of Dentons US LLP as Special Counsel

to the Debtor and Debtor in Possession, Effective as of the Petition Date [[Docket No. 103](#) – filed February 29, 2024]

- C. Official Committee of Unsecured Creditors’ (I) Preliminary Objection to the Dentons US Retention Application and the Litigation Payment Motion and (II) Request for Limited Adjournment of Hearing [[Docket No. 140](#) – filed March 4, 2024]
- D. Supplement to Official Committee of Unsecured Creditors’ (I) Preliminary Objection to the Dentons US Retention Application and the Litigation Payment Motion and (II) Request for Limited Adjournment of Hearing [[Docket No. 163](#) – filed March 11, 2024]

Related Documents:

- i. (REDACTED) Notice of Filing of Redacted Versions of Dentons US LLP’s Engagement Letters [[Docket No. 116](#) – filed March 2, 2024]
- ii. (SEALED) Notice of Filing of Sealed Versions of Dentons US LLP’s Engagement Letters [[Docket No. 117](#) – filed March 2, 2024]
- iii. Debtor’s Motion for Entry of an Order Authorizing Debtor to File Under Seal Confidential Information in Connection with the Application to Retain and Employ Dentons US LLP as Special Counsel [[Docket No. 141](#) – filed March 4, 2024]
- iv. Omnibus Reply to Objections of the U.S. Securities and Exchange Commission and the United States Trustee to Application of Debtor for Entry of an Order Authorizing the Retention and Employment of Dentons US LLP as Special Counsel to the Debtor and Debtor in Possession Effective as of the Petition Date [[Docket No. 143](#) – filed March 4, 2024]
- v. Motion of Debtor for Leave to File Debtor’s Replies in Support of (I) Application to Retain Dentons US LLP as Special Counsel and (II) Motion to Pay Certain Amounts in Furtherance of Litigation [[Docket No. 145](#) – filed March 4, 2024]
- vi. Order Granting Motion of Debtor for Leave to File Debtor’s Replies in Support of (I) Application to Retain Dentons US LLP as Special Counsel and (II) Motion to Pay Certain Amounts in Furtherance of Litigation [[Docket No. 150](#) – filed March 4, 2024]
- vii. Declaration of John S. Dubel in Support of the (I) Application of Debtor for Entry of an Order Authorizing the Retention and Employment of Dentons US LLP as Special Counsel to the Debtor and Debtor in Possession Effective as of the Petition Date and (II) Motion of Debtor for Entry of Orders Pursuant to Sections 363, 503(b), and 105(a) of the Bankruptcy Code Authorizing Debtor to Pay Certain Amounts in Furtherance of Litigation and Granting Related Relief [[Docket No. 160](#) – filed March 9, 2024]
- viii. (REDACTED - Final) Notice of Filing of Final Redacted Versions of Dentons US LLP’s Engagement Letters [[Docket No. 165](#) – filed March 11, 2024]

- ix. **Notice of Filing of Revised Proposed Order Granting Application of Debtor for Entry of an Order Authorizing the Retention and Employment of Dentons US LLP as Special Counsel to the Debtor and Debtor in Possession, Effective as of the Petition Date [[Docket No. 169](#) – filed March 12, 2024]**

Status: The hearing on this matter is going forward.

3. Motion of Debtor for Entry of Orders Pursuant to Sections 363, 503(b), and 105(a) of the Bankruptcy Code Authorizing Debtor to Pay Certain Amounts in Furtherance of Litigation and Granting Related Relief [[Docket No. 61](#) – filed February 13, 2024]

Objection / Response Deadline: February 27, 2024 at 4:00 p.m. (ET); extended for the U.S. Trustee to February 29, 2024 at 4:00 p.m. (ET)

Objections / Responses Received:

- A. Objection of the U.S. Securities and Exchange Commission to Debtor's Motion for Entry of Orders Pursuant to Sections 363, 503(b), and 105(a) of the Bankruptcy Code Authorizing Debtor to Pay Certain Amounts in Furtherance of Litigation and Granting Related Relief [[Docket No. 87](#) – filed February 27, 2024]
- B. Declaration of Roger Landsman [[Docket No. 88](#) – filed February 27, 2024]
- C. United States Trustee's Objection to the Motion of Debtor for Entry of Orders Pursuant to Sections 363, 503(b), and 105(a) of the Bankruptcy Code Authorizing Debtor to Pay Certain Amounts in Furtherance of Litigation and Granting Related Relief [[Docket No. 104](#) – filed February 29, 2024]
- D. Official Committee of Unsecured Creditors' (I) Preliminary Objection to the Dentons US Retention Application and the Litigation Payment Motion and (II) Request for Limited Adjournment of Hearing [[Docket No. 140](#) – filed March 4, 2024]
- E. Supplement to Official Committee of Unsecured Creditors' (I) Preliminary Objection to the Dentons US Retention Application and the Litigation Payment Motion and (II) Request for Limited Adjournment of Hearing [[Docket No. 163](#) – filed March 11, 2024]

Related Documents:

- i. Motion of Debtor to Shorten Notice and Objections Periods Solely with Respect to the Wintermute Order Sought in Motion of Debtor for Entry of Orders Pursuant to Sections 363, 503(b), and 105(a) of the Bankruptcy Code Authorizing Debtor to Pay Certain Amounts in Furtherance of Litigation and Granting Related Relief [[Docket No. 62](#) – filed February 14, 2024]
- ii. Order Shortening Notice and Objection Periods *Solely* With Respect to the Wintermute Order Sought in Motion of Debtor for Entry of Orders Pursuant to Sections 363, 503(b), and 105(a) of the Bankruptcy Code Authorizing Debtor to Pay

Certain Amounts in Furtherance of Litigation and Granting Related Relief [[Docket No. 63](#) – entered February 15, 2024]

- iii. Order Pursuant to Bankruptcy Code Section 363 Authorizing Debtor to Pay (I) Wintermute Costs and (II) Granting Related Relief [[Docket No. 83](#) – entered February 27, 2024]
- iv. Motion of the U.S. Securities and Exchange Commission for Redaction of Certain Personal Data Identifiers Pursuant to Fed. R. Bankr. P. 9037 and Del. Bankr. L.R. 9037-1 [[Docket No. 109](#) – filed March 1, 2024]
- v. Debtor's Omnibus Reply to Objections to Motion of Debtor for Entry of Orders Pursuant to Sections 363, 503(b), and 105(a) of the Bankruptcy Code Authorizing Debtor to Pay Certain Amounts in Furtherance of Litigation and Granting Related Relief [[Docket No. 142](#) – filed March 4, 2024]
- vi. Supplemental Declaration of Mark G. Califano in Support of the Motion of Debtor for Entry of Orders Pursuant to Sections 363, 503(b), and 105(a) of the Bankruptcy Code Authorizing Debtor to Pay Certain Amounts in Furtherance of Litigation and Granting Related Relief [[Docket No. 144](#) – filed March 4, 2024]
- vii. Motion of Debtor for Leave to File Debtor's Replies in Support of (I) Application to Retain Dentons US LLP as Special Counsel and (II) Motion to Pay Certain Amounts in Furtherance of Litigation [[Docket No. 145](#) – filed March 4, 2024]
- viii. Order Granting Motion of the U.S. Securities and Exchange Commission for Redaction of Certain Personal Data Identifiers Pursuant to Fed. R. Bankr. P. 9037 and Del. Bankr. L.R. 9037-1 [[Docket No. 148](#) – filed March 6, 2024]
- ix. Order Granting Motion of Debtor for Leave to File Debtor's Replies in Support of (I) Application to Retain Dentons US LLP as Special Counsel and (II) Motion to Pay Certain Amounts in Furtherance of Litigation [[Docket No. 150](#) – filed March 6, 2024]
- x. Declaration of John S. Dubel in Support of the (I) Application of Debtor for Entry of an Order Authorizing the Retention and Employment of Dentons US LLP as Special Counsel to the Debtor and Debtor in Possession Effective as of the Petition Date and (II) Motion of Debtor for Entry of Orders Pursuant to Sections 363, 503(b), and 105(a) of the Bankruptcy Code Authorizing Debtor to Pay Certain Amounts in Furtherance of Litigation and Granting Related Relief [[Docket No. 160](#) – filed March 9, 2024]
- xi. Declaration of Michael Leto in Support of the Debtor's Motion for Entry of Orders Pursuant to Sections 363, 503(b), and 105(a) of the Bankruptcy Code Authorizing Debtor to Pay Certain Amounts in Furtherance of Litigation and Granting Related Relief [[Docket No. 161](#) – filed March 9, 2024]

- xii. **Notice of Filing of Revised Proposed Order Pursuant to Bankruptcy Code Section 363 Authorizing Debtor to Pay Certain Amounts in Furtherance of Litigation and Granting Related Relief [[Docket No. 168](#) – filed March 11, 2024]**

Status: On February 27, 2024, the Court entered the Wintermute Order. The hearing on this motion is going forward with respect to the balance of the relief sought in the motion, including entry of the Litigation Payment Order.

Dated: March 12, 2024
Wilmington, Delaware

/s/ Matthew P. Milana

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